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May 12, 2025

VIA ECF

Honorable James R. Cho
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Charles Saldarriaga v. City of New York, et al.,
25-CV-1115 (RPK)(JRC)

Your Honor:

I am a Senior Counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney assigned to the defense in the above-referenced matter.¹ I write on behalf of the City of New York, Defendant Sergeant Det. William Planeta, and Defendant Det. Eric Bolger to respectfully request an extension of time to answer or otherwise respond to Plaintiff's Complaint until 30 days after effectuation of service of process on the two remaining defendants—Det. Leonardo Moscoso and Officer Mohammad Hossain—has been entered on the Court's docket. This is the second of such requests, the first of which was granted. Plaintiff consents to this request.

By way of background, Plaintiff, who is proceeding *pro se*, alleges, *inter alia*, that he was falsely arrested, maliciously prosecuted, and racially profiled by officers from the New York City Police Department. (See ECF No. 1). Plaintiff names as defendants the City of New York, Sergeant Det. William Planeta, Det. Eric Bolger, Det. Leonardo Moscoso, and Officer Mohammad Hossain, and claims damages for, *inter alia*, alleged medical expenses and psychological trauma. (See *id.*). On April 11, 2025, the Court granted the City's first request for an extension of time to answer, (see ECF No. 8), and Ordered the City, Sergeant Det. Planeta, and Det. Bolger to answer, move,

¹ This case is assigned to Assistant Corporation Counsel ("ACC") Michael Futral, who is presently awaiting admission to the Eastern District of New York and is handling this matter under my supervision. Mr. Futral may be reached directly at (212) 356 – 1643 or by email at mifutral@law.nyc.gov.

or otherwise respond by May 15, 2025. On April 21, 2025, Plaintiff requested an extension of time to serve Defendants Det. Moscoso and Officer Hossain in light of the U.S. Marshals' unsuccessful attempt to effectuate service. (See ECF No. 10).

There are three reasons for this requested enlargement of time. First, in accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, more time is needed to investigate the allegations set forth in the Complaint, as Plaintiff has still not provided our office with several key documents required to properly evaluate his claims and respond to his allegations.² These documents include releases from Plaintiff to access his records of any underlying criminal actions, including police records, that may have been sealed pursuant to New York Criminal Procedure Law § 160.50, as well as Plaintiff's medical releases. On May 9, 2025, Plaintiff informed Mr. Futral that he had not executed either release and needed until May 16, 2025 to do so. Second, this enlargement of time will also be permit this office to determine representation for Defendants Moscoso and Hossain. Finally, this request will also conserve time and resources and promote judicial and procedural efficiency by enabling our office to file a single, coordinated response on behalf of all Defendants, thereby minimizing court filings.

Therefore, the undersigned respectfully requests the Court grant the City and Defendants Planeta and Bolger an extension of time to answer or otherwise respond to Plaintiff's Complaint until 30 days after effectuation of service of process on the two remaining Defendants—Det. Leonardo Moscoso and Officer Mohammad Hossain—has been entered on the Court's docket.

Thank you for your time and consideration herein.

Respectfully submitted,

Joseph Zangrilli /s/

Joseph Zangrilli

Senior Counsel

Special Federal Litigation Division

Cc: **VIA ECF & FIRST CLASS MAIL**

Charles Saldarriaga

Plaintiff Pro Se

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² On April 9, 2025, this office mailed to Plaintiff a Designation of Agent for Access to Sealed Records Pursuant to NYCPL §§ 160.50 and 160.55 Form and a Medical Release Form.